

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA  
REPORT OF ACTION TAKEN  
MEETING OF CREDITORS

In re:

CARLOS JAVIER DIAZ CEBALLOS

Case No. 11-00727-ESL

Chapter 13

Attorney Name: MARILYN VALDES ORTEGA\*

**I. Appearances**

Debtor ☒ Present ☐ Absent  
Joint Debtor ☐ Present ☐ Absent  
Attorney for Debtor ☒ Present ☐ Absent  
☐ Pro-se  
☐ Substitute Att. Rodriguez

Date: March 04, 2011

Time: 2:50 PM Track: \_\_\_\_\_  
☒ This is debtor(s) 3 Bankruptcy filing.

Liquidation Value: TBD

**Creditors**

Ms. Liriane Melendez - RMPM (mortgage)

**II. Oath Administered**

☒ Yes ☐ No

**III. Documents Filed/Provided**

☒ Schedules  
☒ Statement of Financial Affairs (SOFA)  
☒ Statement of Current Monthly Income (SCMI)  
☒ Credit counseling briefing certificate (CCC)  
☐ Waiver requested by debtor(s)  
☐ DSO Certificate  
☐ DSO Recipient's information  
☒ State Tax Returns 07-09 ☒ Returned  
☐ Federal Tax Returns \_\_\_\_\_ ☐ Returned  
☐ Evidence of income (60 days prior to petition)

**IV. Status of Meeting** ☐ Closed ☐ Not Held ☒ Continued for 30 days at \_\_\_\_\_

**V. Trustee's Report on Confirmation**

☐ FAVORABLE  
☒ UNFAVORABLE

☐ Feasibility  
☒ Insufficiently funded see # 4  
☐ Unfair discrimination  
☒ Fails liquidation value test see # 4.  
☐ Fails disposable income test (I & J)  
☐ No provision for secured creditor(s)  
☐ No DSO certificate (Post-petition)  
☐ Evidence of income  
☐ Missing ☐ Incomplete  
☐ Stmt. of Current Monthly Income  
☐ Incomplete ☐ Missing  
☐ Fails commitment period ☐ Fails Disp. Income  
☐ Certificate of Credit briefing  
☐ Missing ☐ More than 180 days  
☐ Issuer not certified by U.S.T.  
☐ Incomplete schedules  
☐ Incomplete S.O.F.A.  
☐ Other:  
☐ Treat value of collateral separately  
☐ No provision for insurance  
☒ Tax returns missing  
☒ State - years 2010  
☐ Federal - years \_\_\_\_\_

*as requested by debtor  
pursuant to sect. 1308.  
After 4/4/11, meeting will be  
denied  
closed.*

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**VI. Plan**

(Cont.)

Date: February, 17, 2011 Base \$ 23,400.00 ☒ Filed Evidence of Pmt shown: \_\_\_\_\_  
Payments 1 made out of 1 due. ☐ Not Filed

VII. Confirmation Hearing Date: March, 30, 2011

VIII. Attorney's fees as per R. 2016(b)

\$3,000.00 - \$ 201.00 = \$ 2,799.00

IX. Documents to be provided w/in 10 days

☐ Amended schedules \_\_\_\_\_

☐ Amended S.O.F.A. \_\_\_\_\_

☐ Insurance estimate \_\_\_\_\_

☐ Amended plan \_\_\_\_\_

☐ Assumption/Rejection executory contract \_\_\_\_\_

☐ Business Documents \_\_\_\_\_

☐ Monthly reports for the months \_\_\_\_\_

☐ Appraisal \_\_\_\_\_

☐ State tax returns years \_\_\_\_\_

☐ Public Liability Insurance \_\_\_\_\_

☐ Federal tax returns years \_\_\_\_\_

☐ Premises \_\_\_\_\_

☐ Correct SS # (Form B21) \_\_\_\_\_

☐ Vehicle(s) \_\_\_\_\_

☐ Debtor ☐ Joint debtor

☐ Licenses issued by: \_\_\_\_\_

☒ Other:

Amend plan: devote half of Xmas  
Bonus during life of plan

☐ M.T.D. to be filed by Trustee: Debtor(s): ☐ failed to appear; ☐ failed to commence payments;

☐ failed to keep payments current; ☐ does (do) not qualify as a debtor (§109); \_\_\_\_\_

☐ Other: \_\_\_\_\_

**COMMENTS**

① Amend I: debtor is married. Also include spouse's income @ Walmart, full time.

② Payroll deduction requested.

③ note: debtor is sole owner of real property

④ per creditor's testimony: arrears = \$12,709.00 and secured amount = \$69,217.00

Rivera  
Trustee/Presiding Officer

Date: March 04, 2011

⑤ debtor to clarify \$425.04 deduction identified as "Bono US&M". (Rev. debtor does not know.)